



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

June 21, 2018

Ref: 8EPR-SR

Mr. Yueh Chuang, Manager – Environmental Remediation
BNSF Railway Company
800 North Last Chance Gulch, Suite 101
Helena, Montana 59601

Re: Libby Asbestos Superfund Site, Operable Unit 6

Dear Mr. Chuang:

This is a follow-up to correspondence related to the Libby Asbestos Superfund Site Operable Unit 6 (OU6), requesting the close out of the Administrative Order on Consent for Removal Action (AOC), Docket No. CERCLA-08-2003-0004, sent on January 9, 2018, by the BNSF Railway Company (BNSF). As institutional controls have now been implemented on the Libby Railway, in order to ensure protectiveness of the remedy into the future, the U.S. Environmental Protection Agency has closed out the AOC.

Please note continuing obligations required by the AOC, including but not limited to, post removal site controls (paragraph 20) and retention of records (paragraphs 29 – 30). The post-removal site controls include obligations outlined by the Declaration of Restrictive Covenants on Real Property, recorded on December 13, 2017, with Lincoln County, State of Montana.

If you have any additional questions regarding this matter, please contact Max Greenblum, Enforcement Attorney, at Greenblum.Max@epa.gov or (303) 312-6108.

Sincerely,

Dania Zinner
Remedial Project Manager
Superfund Remedial Program

cc: Max Greenblum, EPA Region 8
Brooke Kuhl, BNSF Railway Company